

IN RE: PETITION FOR ZONING VARIANCE \* BEFORE THE  
N/S Holly Beach Rd., 1180 ft.  
+/- E of c/l Henrietta \* ZONING COMMISSIONER  
2700 Holly Beach Road  
15th Election District \* OF BALTIMORE COUNTY  
5th Councilmanic District  
Anthony Bialozynski, et ux \* Case No. 97-173-A  
Legal Owner  
Theodore V. D'Anna, Contract \*  
Purchaser - Petitioners

\* \* \* \* \*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner on a Petition for Variance for the property located at 2700 Holly Beach Road, in the Holly Beach Subdivision of eastern Baltimore County. The Petition was filed by Anthony Bialozynski and Donna Bialozynski, his wife, property owners and Theodore V. D'Anna, Contract Purchaser.

Variance relief is requested from Sections 1A04.3.B.3 and 304 of the Baltimore County Zoning Regulations (BCZR) to permit a dwelling with side yard setbacks of 10 ft. and 11 ft., in lieu of the required 50 ft. and to approve an undersized lot. The subject property and requested relief are more particularly shown on the plat to accompany the Petition for Variance, marked as Petitioners' Exhibit No. 1.

Appearing at the public hearing held for this case were Theodore V. D'Anna, co-Petitioner. There were no Protestants or other interested persons present.

Testimony and evidence presented at the hearing was that the subject site is .46 acres in area, zoned R.C.5. This is a waterfront property with frontage on Middle River in eastern Baltimore County. The property was owned by Anthony Bialozynski, but under contract of sale to Mr. D'Anna. Since the filing of the Petition but prior to the date of the hearing, settlement has occurred and Mr. D'Anna is now the owner.

ORDER RECEIVED FOR FILING

Date

By

11/23/96  
Mr. [Signature]

MICROFILMED

The Petitioner indicated that he desires to construct a two story dwelling on the site. Presently, the lot is improved with an existing 1-1/2 story dwelling which will be razed. The dwelling presently on site is very old and in need of repair.

An examination of the site plan shows that the proposed dwelling will be situated in the center of the lot and that side yard setbacks of 10 ft. and 11 ft. will be maintained. The property is approximately 76 ft. wide at the building line.

Under the R.C.5 zoning classification, the Petitioner would be required to maintain a 50 ft. setback from the dwelling to the property line. Obviously, in view of the property's width, such a requirement cannot be met. Strict adherence to the regulations would render the lot unbuildable.

For this reason, it is clear that the variance relief should be granted. The Petitioner would suffer a practical difficulty if relief were denied in that the property could not be utilized for a permissible use.

Moreover, I find no adverse impact on the surrounding locale. In this regard, a letter from neighbors on both sides was submitted indicating that they do not object to a grant of the variance relief. Moreover, the Petitioner has filed a copy of the proposed building elevations to the Office of Planning for review. These elevations have been reviewed and approved.

There are no comments in the file from the Department of Environmental Protection and Resource Management (DEPRM) regarding this site. Surely the property is within the Chesapeake Bay Critical Area in that same is a waterfront property. Thus, the Petitioner shall comply with any

ORDER RECEIVED FOR FILING

Date

by

recommendations and requirements of DEPRM as it relates to the proposed construction.

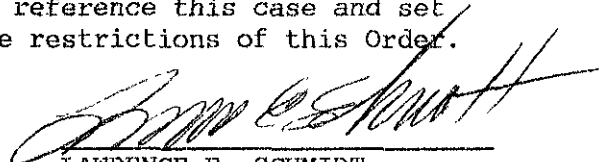
Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 22nd day of November, 1996 that a variance from Section 1A04.3.B.3 and 304 of the Baltimore County Zoning Regulations (BCZR) to permit a dwelling with side yard setbacks of 10 ft. and 11 ft., in lieu of the required 50 ft., and to approve an undersized lot, be and is hereby GRANTED, subject, however, to the following restrictions:

1. The Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.

2. The Petitioner shall comply with the Department of Environmental Protection and Resource Management (DEPRM) recommendations to be submitted upon completion of their review of this matter.

3. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.



LAWRENCE E. SCHMIDT  
Zoning Commissioner  
for Baltimore County

LES/mnn

ORDER RECEIVED FOR FILING

Date

By

MICROFILMED



Baltimore County  
Zoning Commissioner  
Office of Planning and Zoning

Suite 112, Courthouse  
400 Washington Avenue  
Towson, Maryland 21204  
(410) 887-4386

November 21, 1996

Mr. Theodore V. D'Anna  
2003 Tred Avon Road  
Baltimore, Maryland 21221

RE: Case No. 97-173-A  
Petition for Zoning Variance  
Property: 2700 Holly Beach Road

Dear Mr. D'Anna:

Enclosed please find the decision rendered in the above captioned case. The Petition for Variance has been granted, with restrictions, in accordance with the attached Order.

In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3353.

Very truly yours,

A handwritten signature in black ink, appearing to read "Lawrence E. Schmidt", is written over the typed name.

Lawrence E. Schmidt  
Zoning Commissioner

LES:mmn  
att.

MICROFILMED





# Petition for Variance

## to the Zoning Commissioner of Baltimore County

### for the property located at

2700 Holly Beach Road

which is presently zoned

RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B3 & 304 (BCZR)

To permit a dwelling with a side yard setback of 10 ft. & 11 ft. in lieu of the required 50 ft. and to approve an undersized lot per Section 304 with any other variances deemed necessary by the Zoning Commissioner.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- 1.) Settlement on this property is going to take place on or about 10-15-96, to comply with the terms of my construction loan I must be complete construction within 90 days.
- 2.) Working w/the threat of another bad winter, I feel I will need to save all the time I possibly can.
- 3.) Settlement on the house I now live in is also set for 10-15-96, so I am forced to

Property is to be posted and advertised as prescribed by Zoning Regulations.

-over-

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Theodore V. D'Anna

(Type or Print Name)

*Theodore V. D'Anna*  
Signature

2003 Tred Avon Road (410) 391-6720  
Address

Baltimore, Maryland 21221  
City State Zipcode

XX County

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Anthony Bialozynski

(Type or Print Name)

*Anthony Bialozynski*  
Signature

Donna Bialozynski

(Type or Print Name)

*Donna Bialozynski*  
Signature

4332 Conifer Court (410) 661-4772

Address

Phone No.

Glen Arm, Maryland 21057

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER REVIEWED BY: R.T. DATE 10-11-94

ITEM # 173



Printed with Soybean Ink  
on Recycled Paper

MICROFILMED



PETITION FOR VARIANCE

3.) (continued) make temporary living arrangements.

MICROFILMED.



# Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at

2700 Holly Beach Road

which is presently zoned

RC-5

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A04.3.B3 & 304 (BCR)

To permit a dwelling with a side yard setback of 10 ft. & 11 ft. in lieu of the required 50 ft. and to approve an undersized lot per Section 304 with any other variances deemed necessary by the Zoning Commissioner.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (indicate hardship or practical difficulty)

- 1.) Settlement on this property is going to take place on or about 10-15-96, to comply with the terms of my construction loan I must be complete construction within 90 days.
- 2.) Working w/the threat of another bad winter, I feel I will need to save all the time I possibly can.
- 3.) Settlement on the house I now live in is also set for 10-15-96, so I am forced to

Property is to be posted and advertised as prescribed by Zoning Regulations. -over-

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee:

Theodore V. D'Anna

(Type or Print Name)

Theodore V. D'Anna  
Signature

2003 Tred Avon Road (410) 391-6720  
Address

Baltimore, Maryland 21221  
City State Zipcode

Attorney for Petitioner:

(Type or Print Name)

Signature

Address Phone No.

City State Zipcode

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):

Anthony Bialozynski

(Type or Print Name)

Anthony Bialozynski  
Signature

Donna Bialozynski

(Type or Print Name)

Donna Bialozynski  
Signature

4332 Conifer Court (410) 661-4772

Address

Phone No.

Glen Arm, Maryland 21057

City

State

Zipcode

Name, Address and phone number of representative to be contacted.

Name

Address Phone No.

OFFICE USE ONLY

ESTIMATED LENGTH OF HEARING

unavailable for Hearing

the following dates Next Two Months

ALL OTHER

REVIEWED BY: R.T. DATE 10-11-96

ITEM # 173



Printed with Soybean Ink  
on Recycled Paper



# EXAMPLE 3 -- Zoning Description

3 COPIES

Three copies of the zoning description of your property are required. This is a sample to help you with the description - DO NOT USE THIS FORM FOR "FILL-IN THE BLANK". Type or print the description on 8-1/2" x 11" paper. COPIES OF DEEDS CANNOT BE USED FOR THE DESCRIPTION. The zoning description must be in the following form:

ZONING DESCRIPTION FOR 2700 HOLLY BEACH RD.  
(address)

Beginning at a point on the NORTH side of  
(north, south, east or west)  
HOLLY BEACH which is 50'  
name of street on which property fronts (number of feet of right-of-way width)  
wide at the distance of 1180' ± EAST of the  
(number of feet) (north, south, east or west)  
centerline of the nearest improved intersecting street HENRIETTA  
(name of street)  
which is 50' wide. \*Being Lot # 33,  
(number of feet of right-of-way width)  
Block NA, Section # NA in the subdivision of HOLLY BEACH  
(name of subdivision)  
as recorded in Baltimore County Plat Book # 4, Folio # 182  
containing 20,000 SQ. FT. Also known as \_\_\_\_\_  
(square feet or acres) (property address)  
and located in the 15 Election District, 5 Councilmanic District.

\*If your property is not recorded by Plat Book and Folio Number, then DO NOT attempt to use the Lot, Block and Subdivision description as shown, instead state: "As recorded in Deed Liber \_\_, Folio \_\_" and include the measurements and directions (metes and bounds only) here and on the plat in the correct location.

Typical metes and bounds: N.87° 12' 13" E. 321.1 ft., S.18° 27' 03" E.87.2 ft., S.62° 19' 00" W. 318 ft., and N.08° 15' 22" W. 80 ft. to the place of beginning.

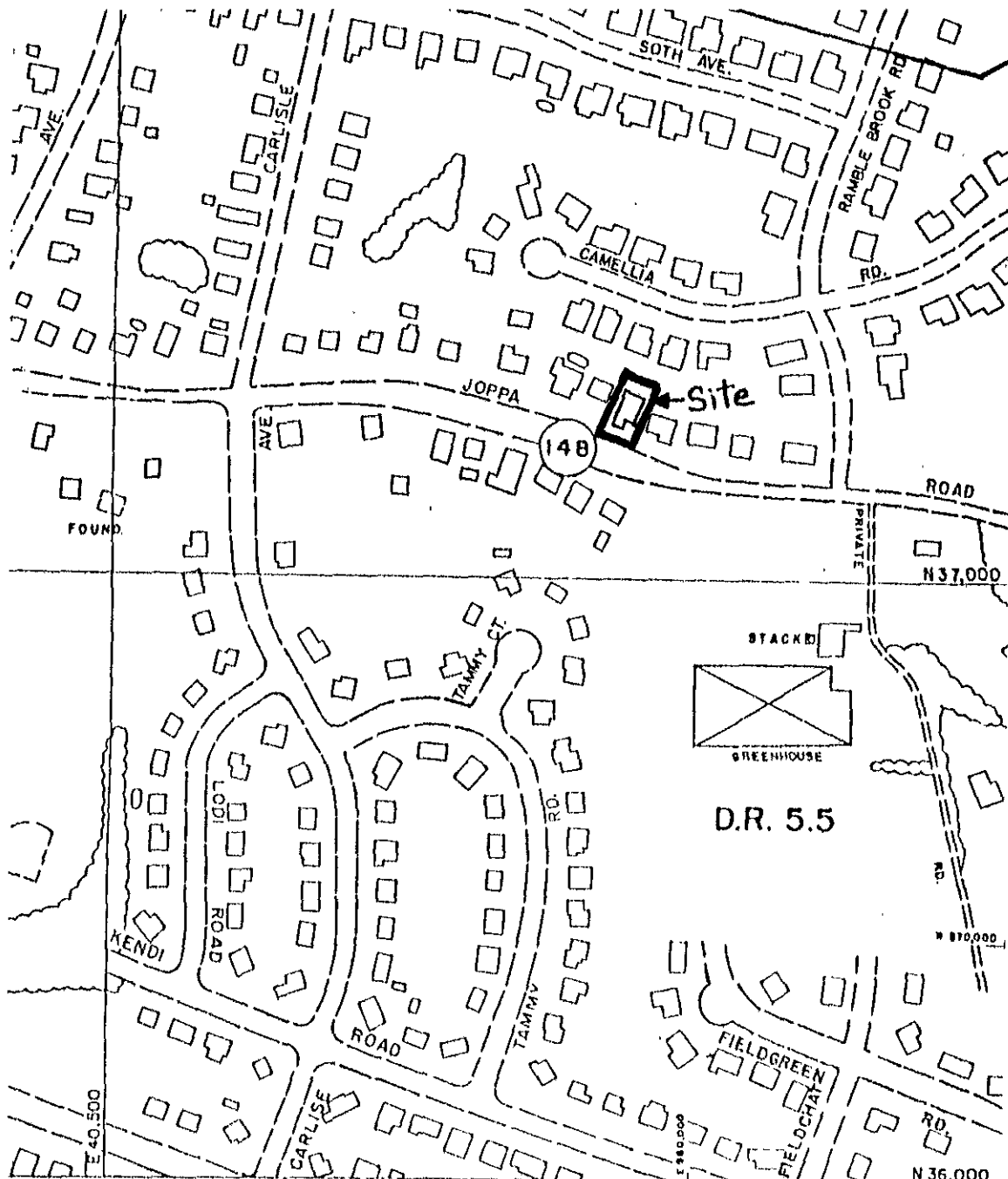
ENCROFILMED

ITEM # 173



# EXAMPLE 4 -- Zoning Map

1 COPY



SCALE  
1" = 200' ±

---

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

LOCATION  
  
PERRY HALL

SHEET  
  
N.E.  
10-G

# NOTICE OF HEARING

The Zoning Commissioners of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106, of the County Office Building, 111 W. Chesapeake Avenue, in Towson, Maryland, 21204, on Room

118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204, as follows:

Case #97-173-4 (Item 173)

2700 Holly Beach Road  
N/S Holly Beach Road, 1180' +/- E of cf Harrietha  
15th Election District  
5th Councilmanic

Legal Owner(s):

Anthony Balazinski and Donna Balazinski

Contact Purchaser:

Theodore V. D'Anna

Variance: to permit a dwelling with a side yard setback of 10 feet and 11 feet in lieu of the required 50 feet and to approve an undersized lot per Section 304 with any other variances deemed necessary by the Zoning Commissioner. Hearing: Wednesday, November 13, 1996 at 1000 a.m. in Rm. 106, County Office Building.

LAWRENCE E. SCHMIDT  
Zoning Commissioner for Baltimore County

NOTES: (1) Hearings are Handicapped Accessible, for special accommodations Please Call 887-3353.

(2) For information concerning the file and/or Hearing, Please Call 887-3391.

10/31/96 Oct. 24 C94029

## CERTIFICATE OF PUBLICATION

TOWSON, MD., Oct 24, 19 96

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on Oct 24, 19 96.

THE JEFFERSONIAN,

*A. H. Henricson*  
LEGAL AD. - TOWSON

~~Printed~~

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BALTIMORE COUNTY, MARYLAND

No. 027990

OFFICE OF FINANCE - REVENUE DIVISION

SCCELLANEOUS CASH RECEIPT

ITEM # 173

DATE 10-11-96

ACCOUNT R-001-6150

010- Reg. VARIANCE

AMOUNT \$ 50.00

RECEIVED

FROM: T. D'Amico

FOR:

Residents' Variance

MICROFILMED

03A91H028MICHRC

\$50.00

Reg. 11 SA 1002-000000 11-96

VALIDATION OR SIGNATURE OF CASHIER

DNS JON  
WHITE - CASHIER PINK - AGENCY YELLOW - CUSTOMER

CASE NUMBER

97-173

NO

CERTIFICATE

OF POSTING

ON FILE.

MICROFILMED

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING  
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2  
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted  
for filing by R.T. on 10-11-96  
Date (A)

A sign indicating the proposed Building must be posted on the property for  
fifteen (15) days before a decision can be rendered. The cost of filing is  
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,  
a decision can be expected within approximately four weeks. However, if a valid  
demand is received by the closing date, then the decision shall only be rendered  
after the required public special hearing.

\*SUGGESTED POSTING DATE 10-25-96 D (15 Days Before C)

DATE POSTED \_\_\_\_\_

HEARING REQUESTED-YES \_\_\_\_\_ NO \_\_\_\_\_ -DATE \_\_\_\_\_

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 11-8-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 11-12-96 B (A + 30 Days)

\*Usually within 15 days of filing

-----  
CERTIFICATE OF POSTING

District \_\_\_\_\_

Location of property: \_\_\_\_\_

Posted by: \_\_\_\_\_ Date of Posting: \_\_\_\_\_  
Signature

Number of Signs: \_\_\_\_\_

MICROFILMED

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

TO: Director Office of Planning & Community Conservation  
Attn: Ervin McDaniel  
County Courts Bldg, Rm 406  
401 Bosley Av  
Towson, MD 21204

B \_\_\_\_\_  
Permit Number

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: Undersized Lots

Pursuant to Section 304.2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

MINIMUM APPLICANT SUPPLIED INFORMATION:

☐ Theodore V. D'Anna 2003 Tred Avon Road (410) 391-6720  
Print Name of Applicant Address Telephone Number

☐ Lot Address 2700 Holly Beach Road Election District 15 Council District 5 Square Feet 20,000

Lot Location N E S W corner of Holly Beach Road 1190' feet from PS W corner of Henrietta  
(street) (street)

Land Owner Anthony Bialozynski Tax Account Number 15-07-15/070979

Address 4332 Conifer Court Telephone Number (410) 661-4772  
Glen Arm, Maryland 21057

☐ CHECKLIST OF MATERIALS: to be submitted for design review by the Office of Planning & Community Conservation

|   | YES                                 | NO                       |
|---|-------------------------------------|--------------------------|
| 1. This Recommendation Form (3 copies)  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Permit Application   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Site Plan  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Property (3 copies)   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Topo Map (available in Rm 206 C.O.B.) (2 copies)<br>(please label site clearly) | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Building Elevation Drawings  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Photographs (please label all photos clearly)                                | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Adjoining Buildings   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Surrounding Neighborhood  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Residential Processing Fee Paid  
Codes 030 & 080 (\$35)

Accepted by R.T.  
ZADM

Date 10-11-96

TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!

RECOMMENDATIONS/COMMENTS:

☐ Approval ☐ Disapproval ☐ Approval conditioned on required modifications of the permit to conform with the following recommendations:



Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property (responsibility of which, lies with the petitioner/applicant) and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for advertising are satisfied. However, the petitioner is responsible for the costs associated with this requirement.

Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

\_\_\_\_\_  
ARNOLD JABLON, DIRECTOR

-----  
For newspaper advertising:

Item No.: 173

Petitioner: Theodore V. D'Anna

Location: #2700 Holly Beach Rd.

PLEASE FORWARD ADVERTISING BILL TO:

NAME: Theodore V. D'Anna

ADDRESS: 2003 Tred Avon Rd.  
BALTO. Md. 21221

PHONE NUMBER: (410) 391-6720

AJ:ggs

(Revised 09/24/96)

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Request for Zoning: Variance, Special Exception, or Special Hearing

Date to be Posted: Anytime before but no later than \_\_\_\_\_.

Format for Sign Printing, Black Letters on White Background:

## ZONING NOTICE

Case No.: \_\_\_\_\_

A PUBLIC HEARING WILL BE HELD BY  
THE ZONING COMMISSIONER  
IN TOWSON, MD

PLACE: \_\_\_\_\_

DATE AND TIME: \_\_\_\_\_

REQUEST: *To permit a dwelling with a side yard setback of 10' & 11' in lieu of the req'd. 50' and to approved an underzie lot with any other variances deemed necessary by the Zoning Commissioner*

POSTPONEMENTS DUE TO WEATHER OR OTHER CONDITIONS ARE SOMETIMES NECESSARY.  
TO CONFIRM HEARING CALL 887-3391.

DO NOT REMOVE THIS SIGN AND POST UNTIL DAY OF HEARING UNDER PENALTY OF LAW

HANDICAPPED ACCESSIBLE



TO: PUTUXENT PUBLISHING COMPANY  
October 24, 1996 Issue - Jeffersonian

Please forward billing to:

Theodore V. D'Anna  
2003 Tred Avon Road  
Baltimore, MD 21221  
391-6720

---

#### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-173-A (Item 173)  
2700 Holly Beach Road  
N/S Holly Beach Road, 1180'+/- E of c/l Henrietta  
15th Election District - 5th Councilmanic  
Legal Owner(s): Anthony Bialozynski and Donna Bialozynski  
Contract Purchaser: Theodore V. D'Anna

Variance to permit a dwelling with a side yard setback of 10 feet and 11 feet in lieu of the required 50 feet and to approve an undersized lot per Section 304 with any other variances deemed necessary by the Zoning Commissioner.

HEARING: WEDNESDAY, NOVEMBER 13, 1996 at 10:00 a.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT  
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

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Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

October 18, 1996

### NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in  
Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204  
or  
Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-173-A (Item 173)  
2700 Holly Beach Road  
N/S Holly Beach Road, 1180'+/- E of c/l Henrietta  
15th Election District - 5th Councilmanic  
Legal Owner(s): Anthony Bialozynski and Donna Bialozynski  
Contract Purchaser: Theodore V. D'Anna

Variance to permit a dwelling with a side yard setback of 10 feet and 11 feet in lieu of the required 50 feet and to approve an undersized lot per Section 304 with any other variances deemed necessary by the Zoning Commissioner.

HEARING: WEDNESDAY, NOVEMBER 13, 1996 at 10:00 a.m. in Room 106, County Office Building.

A handwritten signature in cursive script, reading "Arnold Jablon".

Arnold Jablon  
Director

cc: Anthony and Donna Bialozynski  
Theodore V. D'Anna

- NOTES: (1) YOU MUST HAVE THE ZONING NOTICE SIGN POSTED ON THE PROPERTY BY OCTOBER 29, 1996.  
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.  
(3) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.





Baltimore County  
Department of Permits and  
Development Management

Development Processing  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

November 14, 1996

Mr. and Mrs. Anthony Bialozynski  
4332 Conifer Court  
Glen Arm, MD 21057

RE: Item No.: 173  
Case No.: 97-173-A  
Petitioner: A. Bialozynski, et ux

Dear Mr. and Mrs. Bialozynski:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on October 11, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely,

A handwritten signature in black ink that reads "W. Carl Richards, Jr." The signature is written in a cursive style.

W. Carl Richards, Jr.  
Zoning Supervisor

WCR/re  
Attachment(s)



B A L T I M O R E   C O U N T Y,   M A R Y L A N D

INTEROFFICE CORRESPONDENCE

TO:        Arnold Jablon, Director  
          Department of Permits & Development  
          Management

Date:    October 25, 1996

FROM:     Robert W. Bowling, Chief  
          Development Plans Review Division

SUBJECT:   Zoning Advisory Committee Meeting  
          for October 28, 1996  
          Item No. 173

The Development Plans Review Division has reviewed the subject zoning item. The property to be developed is located adjacent to tidewater. The Developer is advised that the proper sections of the Baltimore County Building Code must be followed whereby elevation limitations are placed on the lowest floor (including basements) of residential (commercial) development.

In conformance with Federal Flood Insurance requirements, the first floor or basement floor must be at least 1 foot over the floodplain elevation in all construction.

RWB:HJO:jrb

cc:    File

ZONE34G

RECEIVED

BALTIMORE COUNTY, MARYLAND  
DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT  
INTER-OFFICE CORRESPONDENCE

TO: Mr. Arnold Jablon, Director  
Zoning Administration and  
Development Management  
October 22, 1996

FROM: R. Bruce Seeley *RBS/gp*  
DEPRM

SUBJECT: Zoning Item #173 - Bialozynski Property  
2700 Holly Beach Road  
Zoning Advisory Committee Meeting of October 21, 1996

The Department of Environmental Protection and Resource Management offers the following comments on the above-referenced zoning item:

Environmental Impact Review

Development of this property must comply with the Chesapeake Bay Critical Area Regulations (Sections 26-436 through 26-461, and other Sections, of the Baltimore County Code).

The subject property is within a Buffer Management Area (BMA). BMA regulations specify that proposed principal structures be no closer to the shoreline than the adjacent dwelling furthest from the water's edge. Also, mitigation will be required for any construction within 100 feet of the shoreline. The petitioner should contact Environmental Impact Review at 887-3980 prior to drafting a site plan for permit application.

Ground Water Management

See attached letter

RBS:GS:RP:sp

BIALOZYN/DEPRM/TXTSBP

MICROFILMED

April 15, 1996

154  
COPY

Mr. James McKinney  
E-Z Permit Service  
7633 South Bend Road  
Baltimore, Md. 21222

Dear Mr. McKinney:

Building Permit application number B 2 6 3 9 2 7, for a 3 bedroom dwelling located at 2700 Holly Beach Road.

SEPTIC SYSTEM DESIGN

1500 gallon septic tank, 1 distribution box, 2 absorption trenches: 40' long, 2' wide, 10' deep, with 8½' of stone

The above system is to be installed as shown on the final approved site plan. The top of the septic tank shall not be deeper than 4 feet below grade. MANHOLE risers are to be installed to the surface over the septic tank and/or grease interceptor. The septic cover shall remain in place.

A plumbing permit is required for installation of an on site sewage disposal system. Installation detail shall conform with the Baltimore County Plumbing and Gasfitting Code. This office must be contacted if any deviation to specification or location of the sewage disposal system is desired. Deviation requests must be accompanied by revised site plans showing all structures, water well, sewage disposal system and reserve area, for review and approval prior to system construction.

An inspection must be made by the Plumbing Inspection Division at the time the absorption trench is completely excavated to verify final depth and grade of the trench. A transit or similar device must be provided.

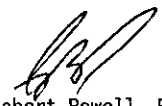
WATER SUPPLY SYSTEM

Metropolitan/Public Water System

1. Existing hand dug well must be backfilled.
2. Water service line must be rerouted as shown and sleeved with a larger diameter pipe for its entire length.
3. Check water pressure - if greater than 60 psi, must install pressure reduction valve.

If there are any questions regarding the above, please contact me at (410) 887-2762.

Sincerely,

  
J. Robert Powell, R.S.  
Program Supervisor  
GROUND WATER MANAGEMENT

for Zoning Variance  
#173

MICROFILMED

Baltimore County Government  
Fire Department



700 East Joppa Road  
Towson, MD 21286-5500

Office of the Fire Marshal  
(410) 887-4880

DATE: 10/21/96

Arnold Jablon  
Director  
Zoning Administration and  
Development Management  
Baltimore County Office Building  
Towson, MD 21204  
MAIL STOP-1105

RE: Property Owner: SEE BELOW

Location: DISTRIBUTION MEETING OF OCT. 21, 1996.

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time,  
IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 161, 163, 164, 165, 166, 167,  
170, 171, 172, 173 and 174.

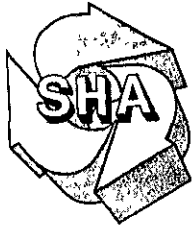
REVIEWER: LT. ROBERT P. SAUERWALD  
Fire Marshal Office, PHONE 887-4881, MS-1102F

MICROFILMED

cc: File



Printed with Soybean Ink  
on Recycled Paper



**Maryland Department of Transportation**  
**State Highway Administration**

David L. Winstead  
Secretary  
Parker F. Williams  
Administrator

10-23-96

Ms. Roslyn Eubanks  
Baltimore County Office of  
Permits and Development Management  
County Office Building, Room 109  
Towson, Maryland 21204

RE: Baltimore County  
Item No. 173 (RT)

Dear Ms. Eubanks:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not affected by any State Highway Administration projects.

Please contact Bob Small at 410-545-5581 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

*Bob Small*

*for*

Ronald Burns, Chief  
Engineering Access Permits  
Division

BS/es

My telephone number is \_\_\_\_\_

Maryland Relay Service for Impaired Hearing or Speech  
1-800-735-2258 Statewide Toll Free

Mailing Address: P.O. Box 717 • Baltimore, MD 21203-0717



B A L T I M O R E   C O U N T Y ,   M A R Y L A N D

INTER-OFFICE CORRESPONDENCE

TO:      Arnold Jablon, Director  
         Permits and Development  
         Management

DATE:   October 24, 1996

FROM:    Pat Keller, Director  
         Office of Planning

SUBJECT:    Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 167 and 173

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by:

*Jeffrey W. Long*

Division Chief:

*Carol L. Kern*

PK/JL

ITEM # 172

INTER-OFFICE CORRESPONDENCE  
RECOMMENDATION FORM

TO: Director Office of Planning & Community Conservation  
Attn: Ervin McDaniel  
County Courts Bldg, Rm 406  
401 Bosley Av  
Towson, MD 21204

B \_\_\_\_\_  
Permit Number

FROM: Arnold Jablon, Director, Department of Permits & Development Management

RE: **Undersized Lots**

Pursuant to Section 304 2(Baltimore County Zoning Regulations) effective June 25, 1992; this office is requesting recommendations and comments from the Office of Planning & Community Conservation prior to this office's approval of a dwelling permit.

**MINIMUM APPLICANT SUPPLIED INFORMATION:**

☐ **Theodore V. D'Anna** 2003 Tred Avon Road (410) 391-6720  
Print Name of Applicant Address Telephone Number

☐ Lot Address **2700 Holly Beach Road** Election District **15** Council District **5** Square Feet **20,000**

Lot Location **N E S W** (side) corner of **Holly Beach Road** **1170'** feet from **N E S W** corner of **Henrietta**  
(street) (street)

Land Owner **Anthony Bialozynski** Tax Account Number **15-07-151070979**

Address **4332 Conifer Court** Telephone Number **(410) 661-4772**  
**Glen Arm, Maryland 21057**

☐ **CHECKLIST OF MATERIALS:** to be submitted for design review by the Office of Planning & Community Conservation  
**PROVIDED?**

|   | YES                                 | NO    |
|---|-------------------------------------|-------|
| 1. This Recommendation Form (3 copies)  | <input checked="" type="checkbox"/> | _____ |
| 2. Permit Application   | <input checked="" type="checkbox"/> | _____ |
| 3. Site Plan  | <input checked="" type="checkbox"/> | _____ |
| Property (3 copies)   | <input checked="" type="checkbox"/> | _____ |
| Topo Map (available in Rm 204 C.O.B.) (2 copies)<br>(please label site clearly) | <input checked="" type="checkbox"/> | _____ |
| 4. Building Elevation Drawings  | <input checked="" type="checkbox"/> | _____ |
| 5. Photographs (please label all photos clearly)                                | <input checked="" type="checkbox"/> | _____ |
| Adjoining Buildings   | <input checked="" type="checkbox"/> | _____ |
| Surrounding Neighborhood  | <input checked="" type="checkbox"/> | _____ |

Residential Processing Fee Paid  
Codes 030 & 080 (\$85)

Accepted by **R.T.**  
ZAOM

Date **10-11-96**

**TO BE FILLED IN BY THE OFFICE OF PLANNING & COMMUNITY CONSERVATION ONLY!!**

**RECOMMENDATIONS/COMMENTS:**

☒ **Approval**    ☐ **Disapproval**    ☐ **Approval conditioned on required modifications of the permit to conform with the following recommendations:**

**MICROFILMED**

Signed by: Ervin McDaniel  
for the Director, Office of Planning & Community Conservation

Revised 9/5/95

Date: **11/19/96**

SCHEDULED DATES, CERTIFICATE OF FILING AND POSTING  
FOR A BUILDING PERMIT APPLICATION PURSUANT TO SECTION 304.2  
DEPARTMENT OF PERMITS & DEVELOPMENT MANAGEMENT  
County Office Building  
111 W. Chesapeake Avenue  
Towson, Maryland 21204

The application for your proposed Building Permit Application has been accepted  
for filing by R.T. on 10-11-96  
Date (A)

A sign indicating the proposed Building must be posted on the property for  
fifteen (15) days before a decision can be rendered. The cost of filing is  
\$50.00 and posting \$35.00; total \$85.00.

In the absence of a request for public hearing during the 15-day posting period,  
a decision can be expected within approximately four weeks. However, if a valid  
demand is received by the closing date, then the decision shall only be rendered  
after the required public special hearing.

\*SUGGESTED POSTING DATE 10-25-96 D (15 Days Before C)

DATE POSTED \_\_\_\_\_

HEARING REQUESTED-YES \_\_\_\_\_ NO \_\_\_\_\_ -DATE \_\_\_\_\_

CLOSING DAY (LAST DAY FOR HEARING DEMAND) 11-8-96 C (B-3 Work Days)

TENTATIVE DECISION DATE 11-12-96 B (A + 30 Days)

\*Usually within 15 days of filing

-----  
CERTIFICATE OF POSTING

District \_\_\_\_\_

Location of property: \_\_\_\_\_

Posted by: \_\_\_\_\_ Date of Posting: \_\_\_\_\_  
Signature

Number of Signs: \_\_\_\_\_

|   |   |                     |
|---|---|---------------------|
| RE: PETITION FOR VARIANCE                   | * | BEFORE THE          |
| 2700 Holly Beach Rd, N/S Holly Beach Rd,    |   |                     |
| 1180'+/- E of c/l Henrietta                 | * | ZONING COMMISSIONER |
| 15th Election District, 5th Councilmanic    |   |                     |
|   | * | OF BALTIMORE COUNTY |
| Legal Owner(s): Anthony & Donna Bialozynski |   |                     |
| Contract Purchaser: Theodore V. D'Anna      | * | CASE NO. 97-173-A   |
| Petitioners                                 |   |                     |
| *   *   *   *   *   *   *   *   *           |   |                     |

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-captioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN  
 People's Counsel for Baltimore County

*Carole S. Demilio*  
CAROLE S. DEMILIO  
 Deputy People's Counsel  
 Room 47, Courthouse  
 400 Washington Avenue  
 Towson, MD 21204  
 (410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 12<sup>th</sup> day of November, 1996, a copy of the foregoing Entry of Appearance was mailed to Legal Owner(s) Anthony & Donna Bialozynski, 4332 Conifer Court, Glen Arm, MD 21057, and to Contract Purchaser Theodore V. D'Anna, 2003 Tred Avon Road, Baltimore, MD 21221, Petitioners.

*Peter Max Zimmerman*  
PETER MAX ZIMMERMAN

MICROFILMED

Theodore V. D'Anna  
213 Nanticoke rd.  
Balt. Md. 21221  
(410) 391-6720

We the undersigned do not have any objection to the zoning variance (item #173), at  
2700 Holly Beach rd.

Neil C. & Beverly Schmidt  
2702 Holly Beach rd.

*Neil C. Schmidt*

William G. & Myrtle Snead Sr.  
2638 Holly Beach rd.

*William G. Snead Sr.*  
*Myrtle Snead*  
*10-28-96*

*CASE # 97-173-A*

*10-28-96 Prints A-1 thru A-4*

*10-28-96 Site Plan # I*

(site plan attached)

# Plat to accompany Petition for Zoning ☒ Variance ☐ Special Hearing

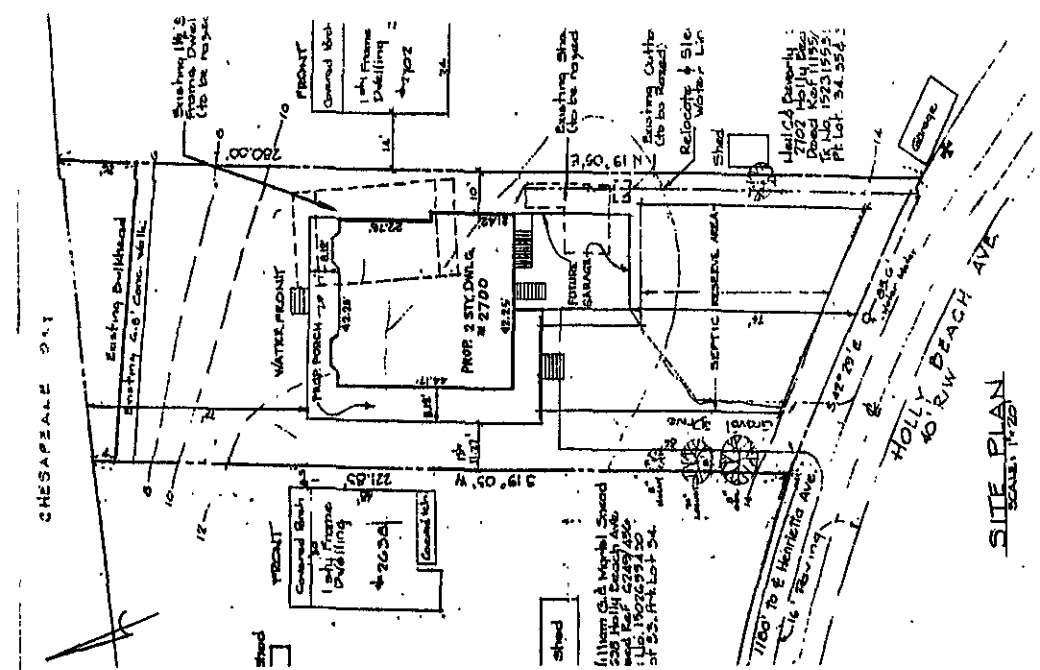
PROPERTY ADDRESS: 2700 Holly Beach Rd see pages 5 & 6 of the CHECKLIST for additional required information

Subdivision name: HOLLY BEACH

plat book # 4, folio # 182, lot # 33, section # N/A

OWNER: Anthony/Denise Bialozynski

97-173-A



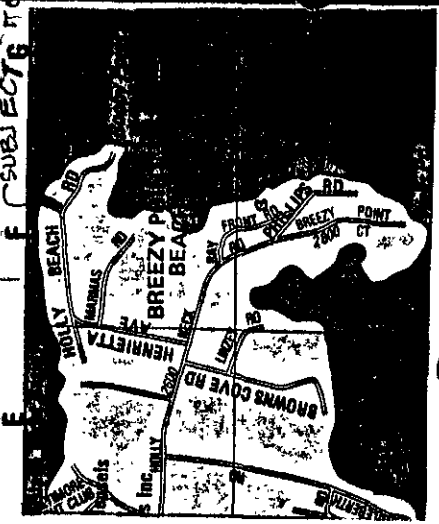
SITE PLAN  
SCALE: 1"=40'

North

date: 10/11/96

prepared by: A.D.

MICROFILMED



Vicinity Map  
North  
scale: 1"=1000'

## LOCATION INFORMATION

Election District: 15

Councilmanic District: 5

1"=200' scale map #: SE-2K

Zoning: RC5

Lot size: 46 20,000  
acreage square feet

public private  
SEWER: ☐ ☒  
WATER: ☒ ☐  
Chesapeake Bay Critical Area: ☒ ☐  
Prior Zoning Hearings: N/A

Zoning Office USE ONLY!  
reviewed by: R.T. ITEM #: 173 CASE#:

Shed

FRONT

Covered Bench

# 1 sty Frame Dwelling

\* 2638

Covered to

519° 05' 44"

WATER FRONT

PRQR PORCH -

8.12'

42.25

22.75'

PROP. 2 STY, DWLG  
# 2700

42.25'

3

FUTURE  
GARAGE.

Existing Shad  
(to be razed) ..

Existing Outhouse  
(to be Razed)

### Relocate & Sleeve Water Line

had

Neil C & Beverly Sch  
2702 Holly Branch  
Dood Rof 11155/31  
Tx. No. 15231553.50  
Pl. Lot. 34.35 & 36

Gangneung

**MICROFILMED**

# SITE PLAN

SCALE: 20

Not To Scale

Scale Plot Plans To Be Submitted Later  
OK Per DAS,

ITEM# 173

Item # 173









#1

173



#2

173



#3

173



#4

173



#5

173



#6

173

Last House on the left  
Holly Beach Rd.



#7

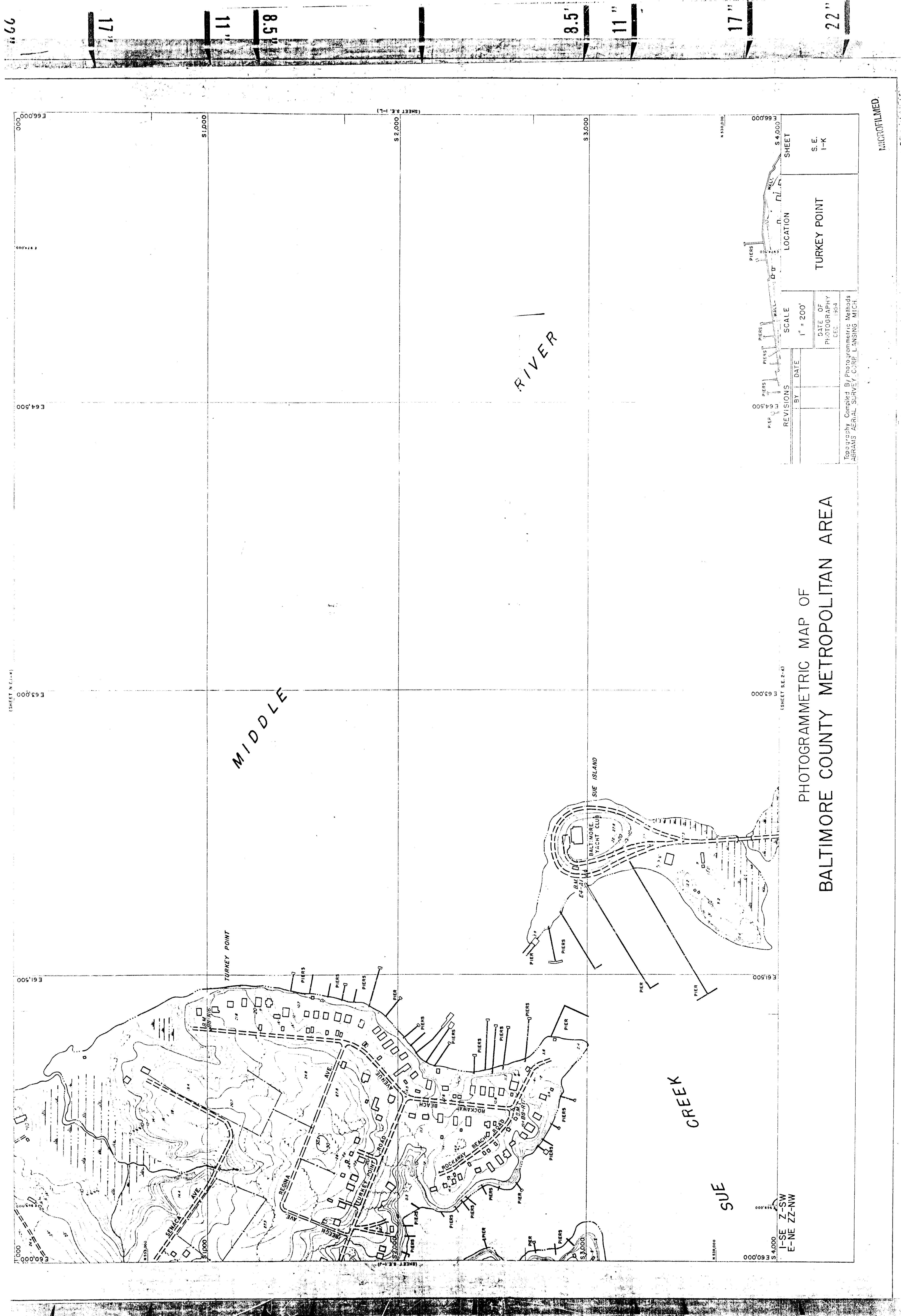
173



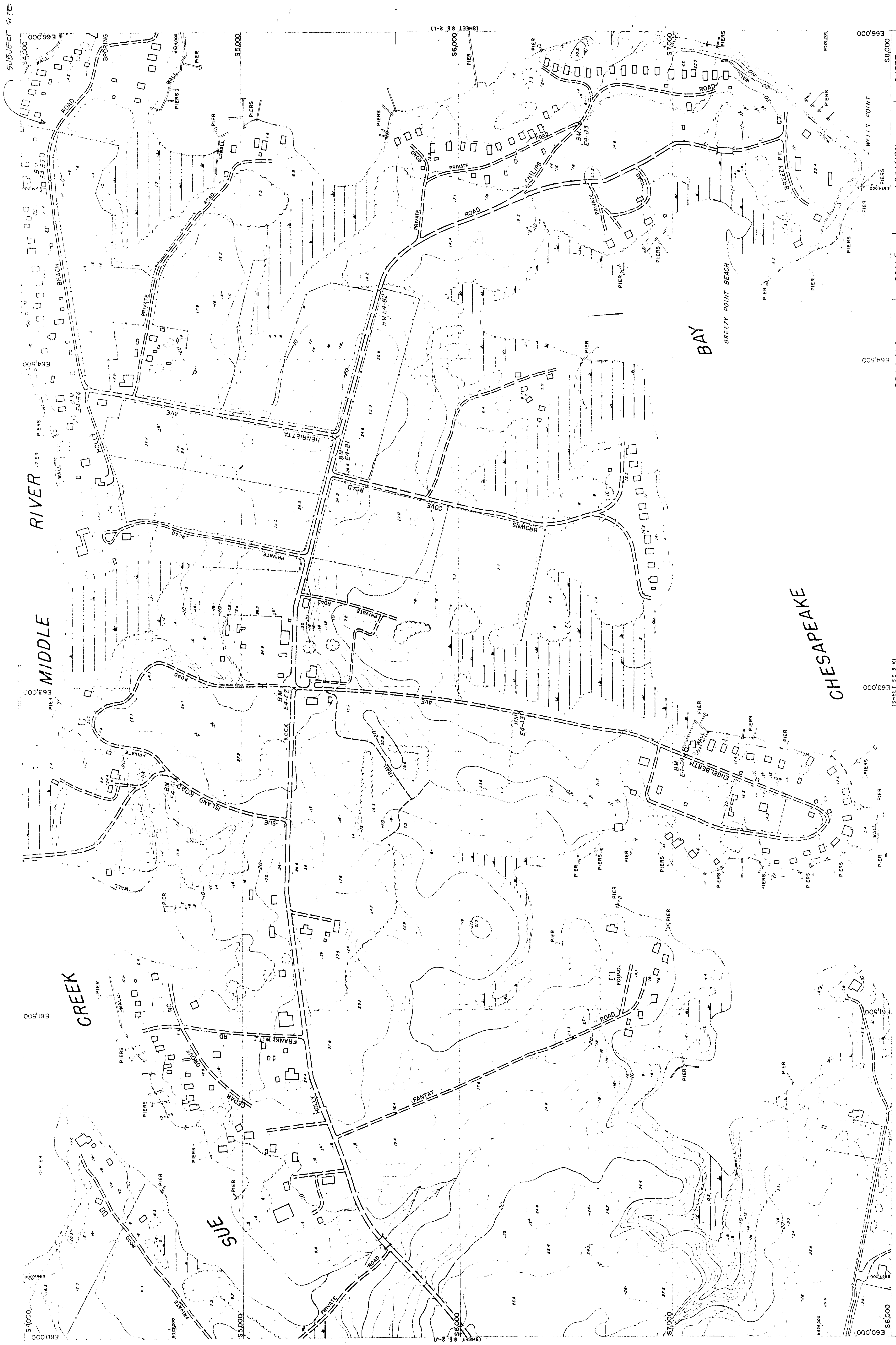
#8

2734  
Holly Beach









| REVISIONS                   |      | SCALE     | LOCATION   | SHEET      |
|-----------------------------|------|-----------|------------|------------|
| BY                          | DATE |           |            |            |
|                             |      | 1" = 200' | HOLLY NECK | S E<br>2-K |
| DATE OF PHOTOGRAPHY<br>1954 |      |           |            |            |
| 17th #123                   |      |           |            |            |

PHOTOGRAMMETRIC MAP OF  
BALTIMORE COUNTY METROPOLITAN AREA

(SHEET SE 3-K)

E-NE ZZ-NW

4-7-75



